

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ANTHONY MONEYHAM,</b>	:	<b>No. 3:15cv436</b>
<b>Plaintiff</b>	:	
	:	<b>(Judge Munley)</b>
<b>v.</b>	:	
	:	<b>(Magistrate Judge Saporito)</b>
<b>L. POTTER, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

.....

**ORDER**

**AND NOW**, to wit, this 30<sup>th</sup> day of August 2016, it is **HEREBY ORDERED** as follows:

1. Plaintiff's objection to the Report and Recommendation regarding dismissal of his claim against Defendant C. Bringer (Doc. 45) is **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Saporito (Doc. 41) is **ADOPTED**;
3. Defendant Bringer is **DISMISSED** from this Bivens action without prejudice;
4. Plaintiff is provided twenty-one (21) days from the date of this order to file an amended complaint to properly plead a Bivens action against Defendant C. Bringer.

Failure to file a timely amended complaint will result in the dismissal of this defendant with prejudice; and

5. The Clerk of Court is directed to remand this case to Magistrate Judge Saporito.

**BY THE COURT:**

**s/ James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**